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GENERAL ORDINANCE NO. 10-08-89

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WHEREAS, Chapter 26 of the Municipal Code of the City

of Fort Wayne of the City of Fort Wayne, Indiana is in need of amendment as follows:

AN ORDINANCE AMENDMENT CHAPTER 26 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA.

Section 26-11. SAME -- CERTIFICATION BY SECTION 1. REGISTERED LAND SURVEYOR.

Each plat submitted to the Commission for secondary approval will carry a certificate signed by a land surveyor registered in the state, in substantially the following form:

the State of Indiana; and that this plat correctly represents a survey completed by me on (date); that all markers shown thereof actually exist; and that their location, size, type and material are accurately shown.

(SEAL)		
	(Signature)	

SECTION 2. Section 26-8 PRIMARY APPROVAL

(c) After the public hearing on the proposed plat, the Commission shall make a decision as to whether to grant or not to grant primary approval and shall enter written findings that set forth its reasons for this decision. A copy of these findings shall be sent to the applicant. Primary approval shall be valid for two years from the date of approval, and if during this two-year period the developer does not submit a plat for secondary approval of all or part of the area included in the plat receiving primary approval, then the primary approval given by the Commission shall lapse and be considered null and void.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor, and legal publication thereof.

Anet H. Bradbury APPROVED AS TO FORM AND LEGALITY:

Worth M Caul

TIMOTHY MCCAULAY, ATTORNEY

Read the first time in full and	on motion by Blackery.
seconded by Alle , and duly	adopted, read the second time by
title and referred to the Committee on City Plan Commission for recommendation) an	A Public Harris to be ball of the
due legal notice, at the Council Conference	Room 128, City-County Building.
Fort Wayne, Indiana, on	the, day
of, 19, at	o'clock M., E.S.T.
DATE: 3-27-85	Dandra F. Tentral
	SANDRA E. KENNEDY, CITY CLERK
Read the third time in full and	on mation by Brankery
seconded by flew, and	duly adopted, placed on its
passage. PASSED LOST by the following	vote:
AVEC NAVC ADCTATION	A DC PAIM MO WITH
AYES NAYS ABSTAINED	ABSENT TO-WIT
TOTAL VOTES 9	
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TALARICO	
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DAME: 4-11-89	Sandras E. Lennedy
DATE:	
	SANDRA E. KENNEDY, CITY CLERK
Passed and adopted by the Common	Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION)	RIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RES	SOLUTION NO. JJ-08-89
on the 11th day of april	10 85
ATTEST:	SEAL
Sandard & Fennedys	Marke 10-0
15 Miles	18. Hered
SANDRA E. KENNEDY, CITY CLERK	PRESIDING OFFICER
Presented by me to the Mayor of t	
	_
on the 12th day of Ceptic	, 1985,
at the hour of 1:30 o'clock	M.E.S.T.
.*	Sandra & Lennedy
	SANDRA E. KENNEDY, CITY CLERK
	19th day of April
19 89, at the hour of 1:45 o'clock	.M.,E.S.T.
	\
	1_11466
	PAUL HELMKE, MAYOR

FACT SHEET

G-89-03-18

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE REASON

Subdivision Control Ordinance Amendment

	POSITIONS	DECOMMENDATIONS
Specific Location and/or Address	Sponsor Sponsor	City Plan Commission
N/A	Area Affected	City Wide
Amending Section 26-11 - Certification by Registered Professional Civil Engineer or Land Surveyor Amending Section 26-8 - Primary Approval		Other Areas
Amending Section 20-6 - Frimary Approval	Applicants/ Proponents	Applicant(s) City Department Other
Discussion (Including relationship to other Council actions)	Opponents	Groups or Individuals
20 March 1989 - Public Hearing V.C. Seth, Director of Planning stated that amending Section 26-11 would reflect a change in the state statute. He stated at one time it was required a Professional Civil Engineer or a Land Surveyor sign		Basis of Opposition
a plat. He stated it now requires only a Registered Land Surveyor sign the plat.	Staff Recommendation	X For Against
He stated that the amendment to Section 26-8 - Primary Approval is an internal change. He stated that the Subdivision Control Ordinance presently requires that the President of the Commission sign the		Reason Against
Findings of Fact set forth by the Commission for a primary approval of a plat. He stated that the staff, while not opposed to this stipulation, felt it would be more time savings to the have the conditions signed by the staff and forwarded to the developer. John Shoaff stated that as the President of	Board or Commission Recommendation	By For Against No Action Taken For with revisions to conditions (See Details column for conditions)
the Commission he would be inclined to accept this amendment. Janet Bradbury stated that she felt by not requiring the President to sign the Findings	CITY COUNCIL ACTIONS (For Council use only)	Pass Other Pass Hold amended) Council Sub. Do not pass

of Fact it would eliminate a "check" of the Findings. She questioned what the difficulty was in having the President sign them.

Mr. Seth stated that it was a matter of time. He stated that if the Commission approves a plat on a Monday night by the time the letter is composed sent to the President, returned to the Commission staff and then forwarded to the developer it has taken several days. They feel if the staff signs the letter it could be dealt with more quickly. He also pointed out that this is the primary approval and not the final approval of a plat that they would be signing the Findings of Fact for.

There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.

27 March 1989 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote. Motion carried.

Policy or Program Change	☐ No	Yes	
			٠.
Operational Impact			

POLICY/PROGRAM IMPACT

Assessment

(This space for further discussion)

Pro	ect	Start

Date 10 March 1989

Projected Completion or Occupancy

Date 28 March 1989

Fact Sheet Prepared by

Date 28 March 1989

Patricia Biancaniello

Reviewed by

Date April 3, 1987

Reference or Case Number

#385 ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE O	OF ORDINANCE Subdivision Control Ordinan	ce Amendment
EPARTM	MENT REQUESTING ORDINANCE Land Use Manage	ement - C&ED
YNOPSI	IS OF ORDINANCE Provides that the Plan Con	mmission provides notice of
	their action on primary plats. Current provision	is that notice must be
	signed by the President of the Plan Commission.	1-89-03-18
51	Signed by the fredhent of the flat domainston.	
FFFFCT	Changes the provisions to	allow for the finds to be sent
	without reference to who has to sign it.	
EFFECT	OF NON-PASSAGE Findings would still have	to be signed by the President
	of the Plan Commission.	
MONEY I	INVOLVED (Direct Costs, Expenditures, Sa	vings)
/> cata	ON TO COMMITTEE (J.N.)	
(ASSIGN	on to committee (o.m.)	

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON DAVID C. LONG, VICE CHAIRMAN STIER, SCHMIDT, TALARICO

26 OF THE MUN	ICIPAL CODE OF THE	CITY OF FORT WAY	NE, INDIANA
HAVE HAD SAID	(ORDINANCE) (RESO	LUTION) UNDER CO	NSIDERATION
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Sandra E. Kennedy City Clerk

Proposed Amendment to the Subdivision Control Ordinance.

SECTION 26-11. SAME -- CERTIFICATION BY REGISTERED PROFESSIONAL EIVIL-ENGINEER-OR-LAND SURVEYOR.

Each plat submitted to the Commission for secondary approval will carry a certificate signed by a professional-civil-engineer or land surveyor registered in the state, in substantially the following form:

(SEAL) (Signature)

SECTION 26-8 PRIMARY APPROVAL.

(c) After the public hearing on the proposed plat, the Commission shall make a decision as to whether to grant or not to grant primary approval and shall enter written findings that set forth its reasons for this decision,—which—writings—shall—be—signed—by the—president—of—the—Plan—Commission. A copy of these findings shall be sent to the applicant. Primary approval shall be valid for two years from the date of approval, and if during this two-year period the developer does not submit a plat for secondary approval of all or part of the area included in the plat receiving primary approval, then the primary approval given by the Commission shall lapse and be considered null and void.



THE CITY OF FORT WAYNE

April 24, 1989

Ms. Cynthia Wilkins Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Wilkins:

Please give the attached full coverage on the dates of April 27 and May 4, 1989, in both the News Sentinel and Journal Gazette.

> RE: Legal Notice for Common Council of Fort Wayne, IN

> > Bill No. S-89-02-14 (as amended) (as amended) (as amended) Special Ordinance No. S-67-89 Truck Ordinance

Bill No. G-89-03-19 General Ordinance No. G-09-89 Amendment to Chapter 33

Bill No. G-89-03-18 General Ordinance No. G-08-89 Amendment to Chapter 26

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours, Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 3

LEGAL NOTICE

Notic	e is hereby given that on thellthday of
	ril , 19 89 , the Common Council of the City
of Fo	rt Wayne, Indiana, in a Regular Session did pass
	ollowing Bill No. G-89-03-18 General
	ance NoG-08-89
1	Bill No. G-89-03-18
	GENERAL ORDINANCE NO
2	AN ORDINANCE AMENDMENT CHAPTER 26 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA.
3	TOTAL TIME, INDIANA.
4	WHEREAS, Chapter 26 of the Municipal Code of the City
5	
6	of Fort Wayne of the City of Fort Wayne, Indiana is in need of amendment as follows:
7	
8	SECTION 1. Section 26-11. SAME CERTIFICATION BY
9	REGISTERED LAND SURVEYOR.
10	Each plat submitted to the Commission for secondary approval will carry a certificate signed by a land surveyor
11	registered in the state, in substantially the following form:
12	I, hereby cortify that I
13	I,, hereby certify that I am a Land Surveyor, licensed in compliance with the laws of the State of Indiana; and that this plat correctly
14	represents a survey completed by me on (date): that all
15	markers shown thereof actually exist; and that their location, size, type and material are accurately shown.
16	(SEAL)(Signature)
17	
18	SECTION 2. Section 26-8 PRIMARY APPROVAL
19	(c) After the public hearing on the proposed plat, the Commission shall make a decision as to whether to grant or
20	findings that set forth its reasons for this decision. A
	Copy of these findings shall be sent to the applicant. Primary approval shall be valid for two years from the date
21	of approval, and if during this two-year period the developer does not submit a plat for secondary approval of
22	all or part of the area included in the plat receiving primary approval, then the primary approval given by the
23	Commission shall lapse and be considered null and void.
24	SECTION 3. That this ordinance shall be in full force
25	and effect from and after its passage and any and all
26	necessary approval by the Mayor, and legal publication
27	thereof.
28	
29	anet G. Bradbury
20	Councilmember

Read the third time in full and on motion by Bradbury,

21	of approval, and if during this two-year period the developer does not submit a plat for secondary approval of all or part of the area included in the plat receiving primary approval, then the primary approval given by the
23	Commission shall lapse and be considered null and void.
24	SECTION 3. That this ordinance shall be in full force
25	and effect from and after its passage and any and all
26	necessary approval by the Mayor, and legal publication
27	thereof.
28	
29	pret H. Bradbury
30	Councilmember
	Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:
	Ayes: Nine Bradbury, Burns, GiaQuinta, Henry, Long, Redd, Schmidt, Stier, Talarico Nays: None
	Abstained: None Absent: None
	DATED: 4-11-89 Sandra E. Kennedy City Clerk
	Passed and adopted by the Common Council of the City of Fort Wayne, Indaina, as General Ordinance No. G-08-89 on the llth day of April, 1989.
	ATTEST: (SEAL)
	Sandra E. Kennedy Charles B. Redd City Clerk Presiding Officer
	Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1989, at the hour of 1:30 o'clock P.M., E.S.T.
	Sandra E. Kennedy City Clerk
	Approved and signed by me this 19th day of April, 1989, at the hour of 4:45 o'clock P.M., E.S.T.
	Paul Helmke Mayor
-	

I, The Clerk of the City of Fort	. Wayne, Indiana do hereby certify
that the above and foregoing is	a full, true and complete copy of
General Ord	inance No
passed by the Common Council on	the 11th day of
April , 19_	89 , and that said Ordinance was
duly signed and approved by the	Mayor on the 19th day of
, 19	89 , and now remains on file and
on record in my office.	
WITNESS my hand, and the officia	l seal of the City of Fort Wayne,
Indiana, this 20th _day of	April , 19 89 .
SEAL	Sandra E. KENNEDY, CITY CLERK
	DANDRA B. KENNEDI, CITI CLERK

Fort Wayne Common Co	uncil	_ То:	The Journal-Gaz	ette
(Governmental Unit)		P.O. Box 100	
Allen Cou	inty, Indiana	-	Fort Wayne, IN	
		BLISHER'S CI	AIM	
LINE COUNT	11		h shall total	
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Head number of lines				1
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Total number of lines in notice	ce			77
COMPUTATION OF CHARGE	S			
	lumns wide equals _	77 equiv	alent lines	
at .495 cents per line		•		\$ 38.12
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Width of single column Number of insertions Size of type6 point Pursuant to the provisions and I hereby certify that the fore claimed is legally due, after same has been paid. Date: May 4 LEGAL NOTICE Is hereby given that on the 11th day of April, he Common Council of the City of Fort Wayne, in a Regular Session did pass the following Bill By-03-18 General Ordinance No. G-08-89 to-wit: IO. G-89-03-18 GENERAL ORDINANCE NO. G-08-89 IO. G-89-03-18 IO. G-89-03-18 GENERAL ORDINANCE NO. G-08-89 IO. G-89-03-18 IO. G-89-03-18 IO. G-89-03-18 IO. G-89-03-18 IO. G-89-03-18 GENERAL ORDINANCE NO. G-08-89 IO. G-89-03-18 IO.	d penalties of Chape going account is just allowing all just creed, 19 89 PUBLITATE PUBLICATION (19 19 19 19 19 19 19 19 19 19 19 19 19 1	t and correct, the edits, and that Title: SHER'S AFFI before me, a now Thompson of the and published in in state and	Clerk CDAVIT tary public in and for sain who, being due the Journal-Gazette in the English language county aforesaid, and the county aforesaid and the county aforesaid and accounty afo	id county and state, the ly sworn, says that he/ newspaper of general in the (city) (town) of hat the printed matter
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(()	Council	_ То:	The News-Ser	ntinel
(Governmental	Unit)		P.O. Box 100	
Allen	County, Indiana		Fort Wayne, I	N
	PUI	BLISHER'S CI	AIM	
LINE COUNT			JO BAAYA	
Display Matter (Must no	ot exceed two actual lines	neither of whic	h shall total	
more than four solid line number of equivalent	s of type in which the bo	dy of the adverti	sement is set)	
Head number of lines				1
Body number of lines				74
Tail number of lines				2
Total number of lines in	notice			77
Total number of fines in	nonce			
COMPUTATION OF CHA	RGES			
77 lines,1	columns wide equals _	77 equiva	alent lines	38.12
at .495 cents per lin	е			\$
Additional charge for not (50 percent of above amo	ices containing rule or ta unt)	bular work		
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Date: May 4	, 19 _ 89 Title:	Clerk
YNE, INDIANA. IHEREAS, Chapter 28 of the Municipal Code of the of Fort Wayne of the City of Fort Wayne, Indiana is each of arriendment as follows: ECTION 1. Section 26-11. SAME CERTIFICA-N BY REGISTERED LAND SURVEYOR. ach plat submitted to the Commission for ondary approval will carry a certificate signed by a 5 surveyor registered in the state, in substantially following form: hereby certify that I am a Land Surveyor, licensed impliance with the laws of the State of Indiana; and this plat correctly represents a survey completed me on (date); that all markers shown thereofically exist; and that their location, size, type and erial are accurately shown. (SEAL) CTION 2. Section 26-8 PRIMARY APPROVAL of After the public hearing on the proposed plat, Commission shall make a decision as to whether to not or onto to grant primary approval and shall enter ten findings that set forth its reasons for this islon. A copy of these findings shall be sent to the diceant. Primary approval, and if during this two-year od the developer does not submit a plat for ondary approval of part of the area included in plat receiving primary approval, then the primary roval given by the Commission shall lapse and be sidered null and void. ECTION 3. That this ordinance shall be in full force effect from and after its passage and any and all essary approval by the Mayor, and legal lication thereof. Janet G. Bradbury and the third time in full and and on motion by obury, seconded by Stier, and duly adopted, seed on its passage. PASSED by the following expessions.	attached hereto is a true copy, which was duly 2 time(s), the dates of publication being a 4/27,5/4/89 Subscribed and sworn to before me this 4th day Notar	reing duly sworn, says that he/ zette newspaper of general nguage in the (city) (town) of t, and that the printed matter published in said paper for as follows:
Nays: None Abstained: None Abstained: None Abstained: None Abstained: None DATED: 4-11-69 Sandra E. Kennedy City Clerk assed and adopted by the Common Council of the y of Fort Wayne, Indiana, as General Ordinance No. 08-89 on the 11th day of April, 1989. ATTEST: Sandra E. Kennedy City Clerk (SEAL) Charles B. Redd		

City Clerk

(SEAL)

Charles B. Redd

Presiding Officer

Presented by me to the Mayor of the City of Fort

Vayne, Indiana, on the 12th day of April, 1989, at the

rour of 1:30 o'clock P.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved ad signed by me this 19th day of April, 189.

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	Larr	y Shompson
Date: May 4	, 19 Title:	Clerk
LEGAL NOTICE Iotice is hereby given that on the 11th day of April, 389, the Common Council of the City of Fort Wayne, oliana, in a Regular Session did pass the following Bill 2. G-89-03-18 General Ordinance No. G-08-03-18 aneral Ordinance No. G-08-03-18 general Ordinance No. G-08-03-18 GENERAL ORDINANCE NO. G-08-89 N. ORDINANCE AMENDMENT CHAPTER 26 OF HE MUNICIPAL CODE OF THE CITY OF FORT AYNE, INDIANA. WHEREAS, Chapter 26 of the Municipal Code of the ty of Fort Wayne, Indiana is need of amendment as follows: SECTION 1. Section 26-11. SAME — CERTIFICA-ION BY REGISTERED LAND SURVEYOR. Each plat submitted to the Commission for econdary approval will carry a certificate signed by a ind surveyor registered in the state, in substantially refollowing form: I, hereby certify that I am a Land Surveyor, licensed compliance with the laws of the State of Indiana; and at this plat correctly represents a survey completed y me on (date); that all markers shown thereof zlually exist; and that their location, size, type and aterial are accurately shown. (SEAL) IECTION 2. Section 26-8 PRIMARY APPROVAL (c) After the public hearing on the proposed plat, ne Commission shall make a decision as to whether to rant or not to grant primary approval and shall enter ritten findings that set forth its reasons for this ecision. A copy of these findings shall be sent to the opticant. Primary approval, and if during this two-years om the date of approval, and if during this two-years om the date of approval, and if during this two-years om the date of approval and at this passage and any and all accessory approval of all or part of the area included in eplat receiving primary approval, then the primary approval of sections of the developer does not submit a plat for accordary approval of all or part of the area included in eplat receiving primary approval, then the primary approval of the crean condition by residing the part of the crean conditions of the crean part of the crean conditions of the condition of the conditions of the conditi	she is	being duly sworn, says that he/ ntinelnewspaper of general language in the (city) (town) of id, and that the printed matter ly published in said paper for